

BEFORE THE HUMAN RIGHTS COMMISSION  
OF THE STATE OF MONTANA

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DARRELL CRAWFORD,  
Charging Party

HRB CASE NO. 0131016407

-v-

FINAL AGENCY DECISION

HEART BUTTE SCHOOLS,  
Respondent

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Charging Party, Darrell Crawford (Crawford), filed a complaint with the Department of Labor and Industry (Department) alleging discrimination in employment on the basis of race and disability. Following an informal investigation, the Department determined that a preponderance of the evidence did not support Crawford's allegations that Respondent, Heart Butte Schools, discriminated against Crawford. The Department issued a Notice of Dismissal. Crawford filed an objection with the Montana Human Rights Commission (Commission). The Commission considered the matter on May 13, 2014. Darrell Crawford appeared via telephone and argued on behalf of himself. Tony Koenig appeared and argued on behalf of Heart Butte Schools.

The Commission reviews a decision of the Department to dismiss a complaint using an abuse of discretion standard. *Section 49-2-511(2), MCA*. After careful consideration, the Commission concludes the determination of the Department to dismiss the complaint in this case is not an abuse of discretion. The objection is therefore overruled.

If a charging party chooses to commence a civil action in district court, the charging party has 90 days after the date this order is issued to file a complaint in district court, in the district where the alleged violation occurred, and seek appropriate relief. *Section 49-2-511(3)(a), MCA*. If a charging party fails to commence a civil action within 90 days, the claims are time barred. *Id.*

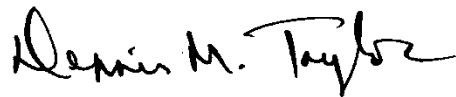
Alternatively, a party may ask a district court to review the decision of the Commission to affirm the dismissal of a complaint. *Sections 2-4-702 and 49-2-511(3)(b), MCA*. This review

must be requested within 30 days of the date of this order. A party must promptly serve copies of a petition for judicial review upon the Human Rights Commission and all parties of record.

*Section 2-4-702(2), MCA.*

IT IS HEREBY ORDERED, that Darrell Crawford's objection is **overruled**. The Commission affirms the determination of the Human Rights Bureau to dismiss the complaint against Heart Butte Schools.

DATED this 15th day of May, 2014.

A handwritten signature in black ink, reading "Dennis M. Taylor". The signature is written in a cursive style with a large, stylized "D" and "T".

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Dennis M. Taylor, Chair  
Human Rights Commission

## CERTIFICATE OF SERVICE

The undersigned secretary for the Human Rights Commission certifies that a true and correct copy of the foregoing ORDER was mailed to the following by U.S. Mail, postage prepaid, on this 15th day of May, 2014.

DARRELL CRAWFORD  
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TONY KOENIG  
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Annah Smith, Legal Secretary  
Montana Human Rights Bureau